

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA

) Case No. 1:17-cr-141

v.

) District Judge Curtis L. Collier

DAVID MICHAEL SCOGGINS II

) Magistrate Judge Christopher H. Steger

O R D E R

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 38) recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Count Two of the four count Indictment; (2) accept Defendant's guilty plea to Count Two of the four count Indictment; (3) adjudicate Defendant guilty of possession with intent to distribute five hundred grams or more of a mixture and substance containing methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A); and (4) order that Defendant remain in custody until further order of this Court or sentencing in this matter.

After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 38) under 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea to Count Two of the four count Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count Two of the four count Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of possession with intent to distribute five hundred grams or more of a mixture and substance containing methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A); and

4. Defendant **SHALL REMAIN** out of custody subject to the Order Setting Conditions of Release (Doc. 8) until further order of this Court or sentencing in this matter which is scheduled to take place on **August 7, 2019, at 2:00 p.m.** before the undersigned.

SO ORDERED.

ENTER:

/s/

CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE